

vehicle as defined in the laws of this State relating to such, or property whatsoever, or take and carry away out of the custody or use of any person or persons, body corporate or politic, or his or their agents, any of the above enumerated property at whatsoever place the same may be found, shall upon conviction thereof in any of the courts of this State having criminal jurisdiction be adjudged guilty of a misdemeanor, and shall restore the property so taken and carried away, or, if unable so to do, shall pay to the owner or owners the full value thereof, and be fined not less than fifty nor more than one hundred dollars, or be imprisoned in the county or city jail or the penitentiary, or the house of correction, for not less than six months nor more than four years, or be both fined and imprisoned as aforesaid, in the discretion of the Court, although it may appear from the evidence that such person or persons, his or their aiders and abettors, took and carried away the property or any portion of the same enumerated in this Section, for his or their present use, and not with the intent of appropriating or converting the same.

Indictment and conviction under this section—see notes to sec. 577. *Symington III v. State*, 133 Md. 453.

This section referred to in illustrating that the sub-division under which a statute is codified is immaterial. See notes to sec. 36. *Bowser v. State*, 136 Md. 345.

This section referred to in construing sec. 87—see notes thereto. *Pritchett v. State*, 140 Md. 315.

Larceny—Metallic Checks.

An. Code, sec. 295. 1904, sec. 271. 1888, sec. 166. 1882, ch. 240, sec. 2.

328. If any person shall steal, take and carry away any metallic check, card or other device issued or delivered by any employer in this State to his employes, having stamped, written or otherwise indicated thereon any numerals or other characters intended to indicate the sum or sums which may be due from the said employer to the said employes, he shall be deemed a felon, and on conviction thereof shall be punished in the same manner and to the same extent as if he had been convicted of stealing, taking and carrying away lawful money of the United States, of the same legal value as the sum or sums which the said metallic check, card or other device may represent as being due from the said employer to any employe, whether the same shall have been issued and delivered to any employe, or only stamped or otherwise so prepared as to be a representation of value in the hands of the holders thereof.

Larceny—Pipes, Water or Gas Fixtures.

An. Code, sec. 296. 1904, sec. 272. 1888, sec. 167. 1865, ch. 13.

329. If any person shall feloniously steal, take and carry away any pipe, water fixture or gas fixture, or any other article or thing of value attached to or a part of any store, shop, dwelling-house, tobacco house or warehouse, whether the same be occupied or not, or if any person shall enter any store, shop, dwelling-house, tobacco house or warehouse, and shall feloniously sever or separate from the freehold any pipe, water fixture or gas fixture, or any other article, or anything attached or affixed thereto,